

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450



Docket No.: 113.1004  
Date: June 11, 2003

In re application of: **Michael HAUSMANN**  
Serial No.: 09/462,435  
Filed: 06/19/2000  
For: **WAVE FIELD MICROSCOPE, METHOD FOR WAVE FIELD MICROSCOPE, INCLUDING FOR DNA SEQUENCING, AND CALIBRATION METHOD FOR WAVE FIELD MICROSCOPY**

Sir:

Transmitted herewith is an **Petition for Revival for Patent Abandoned Unintentionally (2 pages)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	PREVIOUSLY	PRESENT	RATE	FEE		RATE	FEE
	AFTER	PAID FOR	AMENDMENT	EXTRA					
TOTAL CLAIMS	* Minus**	=	0		x \$ 9	\$		x \$ 18	\$
INDEP. CLAIMS	* Minus***	=	0		x \$ 40	\$		x \$ 80	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$135			+ \$270	
					TOTAL: \$		OR	TOTAL: \$	

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☒ Other: **Response to Restriction Requirement dated 09/05/2002**
- ☒ Check(s) in the amount of **\$650.00** is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☒ Other: **Fee Petition for Revival (Small Entity)**
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

*William C. Gehris*  
William C. Gehris, Reg. No. 38,156  
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OFFICE OF PETITIONS

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on June 11, 2003.  
DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *Jan Decker*  
Jan Decker



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
113.1004

First named inventor: Michael HAUSMANN

Application No.: 09/462,435

Group Art Unit: 2878

Filed: 06/19/2000

Examiner: Sisson, Bradley L.

Title: WAVE FIELD MICROSCOPE, METHOD FOR A WAVE FIELD MICROSCOPE, INCLUDING FOR  
DNA SEQUENCING, AND CALIBRATION METHOD FOR WAVE FIELD MICROSCOPY

Attention: Office of Petitions  
**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 308-6916

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**JUN 17 2003**

**OFFICE OF PETITIONS**

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice  
or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus any extensions of time actually  
obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant  
applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☒ Small entity - fee \$650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$\_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
the form of Response to Restriction Requirement dated 09/05/2002 (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_ .  
☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_ .  
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to  
file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is  
estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time  
will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for  
reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce,  
P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop  
Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

100-1070 AN0000046 09462435

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

7/1/03

100-1070

3. Terminal disclaimer with disclaimer fee

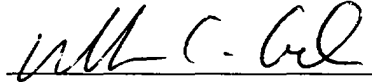
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity or \$\_\_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

June 11, 2003

Date



Signature

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Number: (212) 736-1940

William C. Gehris, Reg. No. 38,156

Typed or printed name

485 Seventh Ave., 14<sup>th</sup> Floor

Address

New York, NY 10018

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ \_\_\_\_\_

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703) 308-6916.

June 11, 2003

Date



Signature

Jan Decker

Typed or printed name of person signing certificate